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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/824,265	04/14/2004	James F. Aaron	275143.100	6509
42161 7590 08/07/2008 MEYER UNKOVIC & SCOTT LLP 1300 OLIVER BUILDING PITTSBURGH, PA 15222				
EXAMINER				
GARCIA, ERNESTO				
ART UNIT		PAPER NUMBER		
3679				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/824,265

Applicant(s)

AARON, JAMES F.

Examiner

ERNESTO GARCIA

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 April 2008 and 18 September 2007.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16, 18-20, 22-26, 29 and 30 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 16, 18-20 and 22-26 is/are allowed.
6) ☒ Claim(s) 29 and 30 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 18 September 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Drawings

The drawings were received on September 18, 2007. These drawings are acceptable; however, the amendment to claim 29 raises a new objection.

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the upper member resting on a top surface of the adjacent first and second mat panels (claim 29, lines 4-5) must be shown or the feature canceled from the claim. No new matter should be entered. Note that the upper member 10 in Figure 8 is not shown resting but rather spaced away from the top surface of the mat panels 35. Figures 11A and 11C also shows the upper member 10 spaced away.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended". If a drawing

figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claim 16 is objected to because of the following informalities:

regarding claim 16, "the" should be inserted before "adjacent" in line 5, and --the-
- should be inserted before "at" in line 25. Appropriate correction is required. For purposes of examining the instant invention, the examiner has assumed these corrections have been made.

Claim Rejections - 35 USC § 112

Claims 29 and 30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 29, there is an inconsistency between the language in the preamble and a certain portion in the body of the claim, thereby making the scope of the claim unclear. The preamble clearly indicated that the two-prong connector is "for flexibly connecting adjacent first and second mat panels". However, the body of the claim positively recites "the adjacent first and second mat panels", e.g., "said upper member resting on a top surface of the adjacent first and second mat panels" (lines 4-5), which indicates that the claims are being drawn to a combination of the "two-prong connector" and both the "adjacent first and second mat panels". Accordingly, is the combination or subcombination being claimed? Appropriate correction, clarification, or both is required. Further, how does the limitation "said upper member resting on a top surface of the adjacent first and second mat panels" in lines 4-5 further limits the two-prong connector?

Regarding claim 30, there is an inconsistency between the language in the preamble and a certain portion in the body of the claim, thereby making the scope of the claim unclear. The preamble clearly indicated that the four-prong connector is "for flexibly connecting at least adjacent first and second mat panels". However, the body of the claim positively recites "the holes of the adjacent first and second mat panels", e.g., "each of the lower prong members extending into their own holes in the first and second mat panels" (lines 30-31), which indicates that the claims are being drawn to a combination of the "four-prong connector" and "the holes of the adjacent first and

second mat panels". Accordingly, is the combination or subcombination being claimed? Appropriate correction, clarification, or both is required. Further, how does the limitation "each of the lower prong members extending into their own holes in the first and second mat panels" in lines 4-5 further limits the four-prong connector?

Claim Rejections - 35 USC § 102

Claim 29 is rejected under 35 U.S.C. 102(e) as being anticipated by Johnson, 7,021,009.

Regarding claim 29, Johnson discloses, in Figure 8, discloses a two-prong connector comprising an upper member **A1** (see marked-up attachment provided in the last Office action), a first lower prong member **A2**, a second lower prong member **A3**, a first joining member **A4**, and a second joining member **A5**. The upper member **A1** has a first end **A6** and a second end **A7**. The first lower prong member **A2** having an inner end **A8** and an outer end **A9**. The second lower prong member **A3** has an inner end **A8** and an outer end **A9**. The first joining member **A4** connects the first end **A6** of the upper member **A1** to the inner end **A8** of the first lower prong member **A2**. The second joining member **A5** connects the second end **A7** of the upper member **A1** to the inner end **A8** of the second joining member **A5**. The upper member **A1** is substantially parallel to the first lower prong member **A2** and to the second lower prong member **A3**.

Further, the upper member **A1** rests on a top surface of adjacent first and second mat panels **14**.

Allowable Subject Matter

Claims 16, 18-20, and 22-26 are allowed.

Claim 30 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

The following is a statement of reasons for the indication of allowable subject matter:

regarding claim 16, the prior art of record does not disclose or suggest a system comprising adjacent mat panels and a connector comprising at least one two-prong connector unit joined in parallel to another two-prong connector unit by at least one spanning member connecting the upper member of each of the two-prong connector units wherein the upper members are parallel and the lower prong members are in the same plane as one another. The closest prior art, McGillvray, 1,144,143, teaches, in Figure 7, a system; however, the at least one spanning member 23 connects a first joining member and a second joining member rather than the upper members 20'. There's no motivation to place the spanning member on the upper members 20';

regarding claims 18-20 and 22-26, these claims depend from claim 16; and,

regarding claim 30, the prior art of record does not disclose or suggest a four prong-connector comprising each of a lower prong members extending into their own holes in the first and second mat panels (lines 30-31) as presented in the applicant's arguments.

Response to Arguments

Applicant's arguments with respect to claims 29 and 30 have been considered but are moot in view of the new grounds of rejection.

Conclusion

The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Graf et al., EP-131,172, and Kenniker, 1,335,060, show a similar two-prong connector.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. In particular, the new limitations "said upper member resting on a top surface of the adjacent first and second mat panels" in claim 29, lines 4-5, and "each of said lower prong members extending into their own holes in the first and second mat panels" in claim 30, lines 30-31, necessitated the new grounds of rejection.

Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ernesto Garcia whose telephone number is 571-272-7083. The examiner can normally be reached from 9:30AM-6:00PM. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached at 571-272-7087.

Art Unit: 3679

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Greg Binda/
Primary Examiner, Art Unit 3679

/E. G./

Examiner, Art Unit 3679

August 11, 2008